



LODI CITY COUNCIL

Carnegie Forum

305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: April 19, 2006

Time: Closed Session 5:30 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Susan J. Blackston

City Clerk

Telephone: (209) 333-6702

NOTE: All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.

C-1 Call to Order / Roll Call

C-2 Announcement of Closed Session

- a) Pursuant to Government Code §54956.9(c); conference with legal counsel – anticipated litigation/initiation of litigation – regarding County of San Joaquin EMS Order to change 911 Fire Dispatch Providers; one potential case
- b) Actual litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al.; United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM
- c) Conference with Blair King, City Manager, and Jim Krueger, Deputy City Manager (Labor Negotiators), regarding Lodi Professional Firefighters, Police Management, and Association of Lodi City Employees regarding General Services pursuant to Government Code Section §54957.6
- d) Conference with legal counsel – anticipated litigation – significant exposure to litigation pursuant to subdivision (b) of Section 54956.9; one case; pursuant to Government Code §54956.9(b)(3)(A) facts, due to not being known to potential plaintiffs, shall not be disclosed

C-3 Adjourn to Closed Session

NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.

C-4 Return to Open Session / Disclosure of Action

A. Call to Order / Roll call

B. Invocation – Pastor Bill Cummins, Bear Creek Community Church

C. Pledge of Allegiance

D. Presentations

D-1 Awards – None

D-2 Proclamations

- a) National Volunteers Week (PD)

D-3 Presentations

- a) Presentation to students of Jim Elliot Christian High School for advancing to the National Robotics Competition in Atlanta, Georgia
- b) Presentation of donation for Lodi Station Parking Structure Wall Dog mural project by Central California Traction Company (PW)

E. Consent Calendar (Reading; comments by the public; Council action)

- E-1 Receive Register of Claims in the amount of \$6,541,342.33 (FIN)
- E-2 Approve minutes (CLK)
 - a) March 1, 2006 (Regular Meeting)
 - b) March 21, 2006 (Shirtsleeve Session)
 - c) April 11, 2006 (Shirtsleeve Session)
- Res. E-3 Adopt resolution approving plans and specifications; authorizing advertisement for bids for Municipal Service Center Compressed Natural Gas Fueling Station Expansion, 1331 South Ham Lane; and authorizing the City Manager to execute amendment to professional services agreement with T. Mitchell Engineers and Associates (\$14,600) (PW)
- E-4 Approve specifications and authorize advertisement for bids for 3,000 tons of asphalt materials for fiscal year 2006-07 (PW)
- E-5 Approve specifications and authorize advertisement for bids for Annual Tree Trimming Contract (Power Line Clearing) for Electric Utility Department (\$350,000) (EUD)
- Res. E-6 Adopt resolution authorizing the Public Works Street Division to waive the bidding process and award to an existing professional services agreement for tree trimming between city of Brentwood and West Coast Arborists, Inc., for trimming of 510 trees (\$25,000) and authorizing the City Manager to award the contract (PW)
- E-7 Accept improvements under contract for Water Meter Installation Project (PW)
- Res. E-8 Adopt resolution accepting improvements under contract for Kettleman Lane (Route 12) Gap Closure Project from Lower Sacramento Road to Ham Lane and from Stockton Street to Cherokee Lane and appropriating additional funds (\$102,800) (PW)
- E-9 Accept improvements under contract for Lodi Avenue Overlay (Lower Sacramento Road to Ham Lane) / Pacific Avenue Extension (Walnut Street to Lodi Avenue) Project (PW)
- Res. E-10 Adopt resolution accepting improvements under contract for Lower Sacramento Road Widening Project, Kettleman Lane to Harney Lane and appropriating \$5,000 and receive notification of Contract Change Orders and property owner reimbursement (PW)
- Res. E-11 Adopt resolution accepting improvements for the Harney Lane Canal Crossing Project and appropriating additional funds for applicable reimbursements (\$66,520) (PW)
- Res. E-12 Adopt resolution accepting improvements at 33 North Cluff Avenue (PW)
- Res. E-13 Adopt resolution approving improvement deferral agreement for 710 Willow Avenue (PW)
- Res. E-14 Adopt resolution approving extension of the 2005-06 Annual Curb, Gutter, and Sidewalk Replacement contract with Jeff Case Construction Company for 2006-07 fiscal year with a three percent increase (\$71,200) (PW)
- Res. E-15 Adopt resolution supporting the Watershed Stakeholder Outreach Projects proposed by Central Sierra Resource Conservation & Development, Inc. (PW)
- Res. E-16 Adopt resolution amending Traffic Resolution 97-148 by approving one-hour parking (school days only) on the north side of Century Boulevard in front of bus turnout at Tokay High School (PW)
- Res. E-17 Adopt resolution approving Resource Adequacy Program for the City of Lodi (EUD)
- Res. E-18 Adopt resolution approving the naming of Salas Park southwest baseball diamond for Michael Moore (PR)
- Res. E-19 Adopt resolution supporting the preservation of the existing U.S. Department of Housing and Urban Development Community Development Block Grant program (CM)
- Res. E-20 Adopt resolution supporting a Constitutional amendment to ensure that Proposition 42 revenues are used exclusively for state and local transportation projects and that revenues previously used to offset non-transportation purposes are reimbursed (CM)

- E-21 Authorize Mayor to sign letters of opposition to the U.S. House of Representatives Committee on Energy and Commerce bill, *Communications, Opportunity, Promotion, and Enhancement Act of 2006* (Barton-Rush), and the California State Assembly bill, *AB 2987 (Nunez)*, to prevent the pre-emption of local control of cable television franchises (CM)
- E-22 Set public hearing for May 3, 2006, to consider adopting resolution adjusting Consumer Price Index-based water and wastewater rates (PW)

F. Comments by the public on non-agenda items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

G. Comments by the City Council Members on non-agenda items

H. Comments by the City Manager on non-agenda items

I. Public Hearings

- Res. I-1 Public hearing to consider the appeal of the Planning Commission's decision of February 22, 2006, to approve a Use Permit for Vineyard Christian Middle School to place a private 6th, 7th, and 8th grade school on the grounds of Lodi Avenue Baptist Church at 2301 West Lodi Avenue (Applicant, Lodi Avenue Baptist Church; File #U-05-20) (CD)

J. Communications

- J-1 Claims filed against the City of Lodi – None
- J-2 Appointments
- a) Post for expiring terms on the Greater Lodi Area Youth Commission (Adult Advisors), Library Board of Trustees, Lodi Arts Commission, Lodi Planning Commission, and San Joaquin County Commission on Aging (CLK)
- J-3 Miscellaneous
- a) Monthly Protocol Account Report (CLK)

K. Regular Calendar

- Res. K-1 Adopt resolution implementing surface water treatment program utilizing Woodbridge Irrigation District contractual allotment and authorizing solicitation of water treatment plant proposals (PW)
- K-2 Consider extending the active date to May 12, 2006, for an application submitted by San Joaquin Valley Land Company for entitlements related to development of a 220-acre site located immediately south of Harney Lane between State Route 99 and the Union Pacific Railroad, pending a decision by Blue Shield of California to remain and expand in Lodi (CM)
- Pulled** Res. **K-3** Adopt resolution establishing Public Works Department engineering fees for various development services; amending Community Improvement fees for administrative procedures; and amending Planning fees to add pre-development review and hourly charges (PW / CD)
- Pulled** Res. **K-4** Adopt resolution authorizing the City Manager to execute professional services agreement with Fehr & Peers Transportation Consultants, of Walnut Creek, for preparation of Travel Demand Forecasting Model for General Plan Update and appropriating funds (\$160,000) (PW)
- Pulled** Res. **K-5** Adopt resolution authorizing the City Manager to execute two agreements to prepare Environmental Impact Report amendments for the Lodi Shopping Center: one with Pacific Municipal Consultants for \$72,000 and one with Bay Area Economics for \$46,075 (CD)
- Pulled** Res. **K-6** Authorization to fill a previously "frozen" Junior/Assistant/Associate Planner position in the Community Development Department (CM)

Pulled Ord. **K-7** Introduce ordinance imposing a Transactions and Use Tax to be administered by the State Board of Equalization and adding Chapter 3.09 to the Lodi Municipal Code, which shall be operative only IF two-thirds of the electors voting on the Fire & Facilities Sales Tax Measure (citizens initiative) vote to approve the imposition of the tax at the November 7, 2006, General Municipal Election (CLK)
(Introduce)

Pulled **K-8** Authorize the City Manager to execute fee adjustment agreement for Vintage Oaks Subdivision (PW)

L. Adjourn to Special Joint Meeting of the Lodi City Council and Redevelopment Agency

(RE: ITEMS L-1 and L-2; see April 19, 2006, agenda for Special Joint Meeting of the Lodi City Council and Redevelopment Agency)

Ord. L-1 Ordinance No. 1775 entitled, "An Ordinance of the City Council of the City of Lodi Amending Title 15 – Buildings and Construction – of the Lodi Municipal Code by Adding Chapter 15.72 Relating to Eminent Domain" (CLK)
(Adopt)

Ord. L-2 Ordinance No. 1776 entitled, "An Ordinance of the City Council of the City of Lodi Amending Title 2 – Administration and Personnel – of the Lodi Municipal Code by Adding Chapter 2.52.020 Relating to Eminent Domain" (CLK)
(Adopt)

M. Ordinances

Ord. M-1 Ordinance No. 1772 entitled, "An Ordinance of the Lodi City Council Amending Chapter 13.20, 'Electrical Service,' by Amending Sections 13.20.175 Schedule MCA, 13.20.190 Schedule EA, 13.20.200 Schedule ED, 13.20.210 Schedule EM, 13.20.220 Schedule MR, 13.20.230 Schedule EL, 13.20.240 Schedule G1, 13.20.250 Schedule G2, 13.20.260 Schedule G3, 13.20.270 Schedule G4, 13.20.280 Schedule G5, and 13.20.310 Schedule I-1 Relating to Rate Schedules; Adding Section 13.20.235 Schedule ES (City Facilities Service); and Repealing Sections 13.20.202, 13.20.203, and 13.20.204" (CLK)
(Adopt)

Ord. M-2 Ordinance No. 1777 entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Title 1 – General Provisions – by Creating and Adding Chapter 1.10, 'Administrative Enforcement Provisions'" (CLK)
(Adopt)

Ord. M-3 Ordinance No. 1778 entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code by Repealing Chapter 2.34, 'Administrative Procedures for Administrative Proceedings,' in Its Entirety; Repealing and Reenacting Section 3.01.460, Business Tax Certification – 'Enforcement'; Repealing and Reenacting Section 10.56.020 (J), (K), and (L)-(1), Removal of Vehicles – 'Removal from Private Property'; Amending Building Code Section 15.04.060, 'Violation-Misdemeanor,' by Adding Section (C); Repealing and Reenacting Chapter 15.24, 'Housing Code,' Sections 15.24.30 – 15.24.70 and Sections 15.24.090 – 15.24.100; Repealing and Reenacting Sections 15.28.030, 15.28.070, 15.28.080, 15.28.090, 15.28.100, 15.28.120, and 15.28.140 Relating to the Abatement of Dangerous Buildings Code; Repealing Sections 15.30.040 – 15.30.220 and Reenacting Sections 15.30.040 – 15.30.060 Relating to Property Maintenance and the Designation of Certain Kinds of Nuisances; and Amending Chapter 15.31, 'Weed and Refuse Abatement,' by Adding Sections 15.31.150 – 15.31.170" (CLK)
(Adopt)

M. Adjournment

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

Susan J. Blackston
City Clerk



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305 West Pine Street, Lodi

AGENDA – SPECIAL MEETING

Lodi City Council / Redevelopment Agency

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Time: 7:00 p.m.

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SPECIAL JOINT MEETING

Lodi City Council / Redevelopment Agency

A. Roll call

B. Ordinances

(RE: ITEM B-1 and B-2; see April 19, 2006, Lodi City Council Regular Meeting agenda)

Ord. B-1 Ordinance No. 1775 entitled, "An Ordinance of the City Council of the City of Lodi
(Adopt) Amending Title 15 – Buildings and Construction – of the Lodi Municipal Code by Adding Chapter 15.72 Relating to Eminent Domain" (CLK)

Ord. B-2 Ordinance No. 1776 entitled, "An Ordinance of the City Council of the City of Lodi
(Adopt) Amending Title 2 – Administration and Personnel – of the Lodi Municipal Code by Adding Chapter 2.52.020 Relating to Eminent Domain" (CLK)

C. Adjournment

Pursuant to Section 54956.2(a) of the Government Code of the State of California, this agenda was posted at a place freely accessible to the public 24 hours in advance of the scheduled meeting.

Susan J. Blackston
City Clerk/Secretary

****NOTICE:** Pursuant to Government Code §54954.3(a), public comments may be directed to the legislative body concerning any item contained on the agenda for this meeting before (in the case of a Closed Session item) or during consideration of the item.**